

SA

AN ORDINANCE 100581

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY.

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WHEREAS, a public hearing was held regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended so that it shall include the following described change of zoning classification of the following property:

CASE NO. Z2005032 C

The change of zoning classification from "RM-4" Residential Mixed District to "RM-4 C" Residential Mixed District with a Conditional Use for a Beauty Shop on the property listed as follows:

Lots 7, 8, 9, and 10, Block 45, NCB 1624

SECTION 2. The City Council finds as follows:

- A.** The conditional use will not be contrary to the public interest.
- B.** The conditional use will not substantially nor permanently injure the appropriate use of adjacent conforming property in the same district.
- C.** The conditional use will be in harmony with the spirit and purpose as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- D.** The conditional use will not substantially weaken the general purposes or the regulations as set forth in Section 35-422, Conditional Zoning, of the Unified Development Code.
- E.** The conditional use will not adversely affect the public health, safety and welfare.

SECTION 3. The City Council finds that the following conditions shall be met to insure compatibility with the surrounding properties:

1. There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure.
2. No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood.

3. Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m.
4. Parking shall be located in the rear of the structure.
5. A 6' privacy fence shall be erected on sides adjacent to residential uses.
6. Signage shall not be illuminated.
7. A Type B buffer shall be required adjacent to residential uses.

SECTION 4. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

SECTION 5. The Director of Planning shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 6. This ordinance shall become effective immediately upon passage if passed by eight or more votes otherwise this ordinance shall become effective April 3, 2005.

PASSED AND APPROVED this 24th day of March 2005.



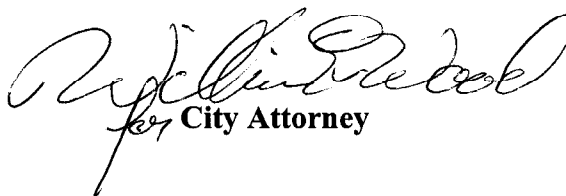
M A Y O R
EDWARD D. GARZA

ATTEST



City Clerk

APPROVED AS TO FORM



for City Attorney

Agenda Voting Results

Name: A.

Date: 03/24/05

Time: 02:23:36 PM

Vote Type: Multiple selection

Description: ZONING CASE NUMBER Z2005032 C: The request of Julieta Muniz, Applicant, for Julieta Muniz, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "RM-4" C Residential Mixed District with a conditional use for a beauty shop on Lots 7, 8, 9 and 10, Block 45, NCB 1624 (138 Porter Street). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5	Not present			
ENRIQUE M. BARRERA	DISTRICT 6	Not present			
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR	Not present			